

HCS HB 604 -- PARENTAL RIGHTS OF INDIVIDUALS WITH DISABILITIES

SPONSOR: Grisamore (Long)

COMMITTEE ACTION: Voted "do pass by consent" by the Special Standing Committee on Disability Services by a vote of 8 to 0.

This substitute specifies that the disability or disease of an individual cannot be the basis for a determination to refuse to issue, suspend, or revoke a foster care license; to remove a child from a parent's custody, terminate parental rights, or determine that a child is a child in need of care; or to rule that an individual is unfit or not suitable to be an adoptive parent without a specific showing that there is a causal relationship between the disability or disease and a substantial and significant risk of harm to a child. In a case involving a parent or foster parent with a disability or disease, the determination must consider the availability and use of accommodations for the disability or disease including assistive technology and support services.

FISCAL NOTE: No impact on state funds in FY 2012, FY 2013, and FY 2014.

PROPONENTS: Supporters say that there is no basis to terminate the parental rights of a disabled person solely because the individual has a disability. Without a direct causal relationship with the disability to cause direct harm, a termination is an injustice. Being disabled doesn't require a person to prove himself or herself as a parent. A disability does not present an inability to be a parent or to parent appropriately. The bill provides protections for these individuals and will prevent any determinations that discriminate because of a person's disability or disease.

Testifying for the bill were Representatives Long and Grisamore; Gary Wunder, National Federation of the Blind; Debbie Wunder; Dacia Luck; Roger Crome, People First of Missouri; Paraquad, Incorporated; Susan Parker; and Missouri Family Network.

OPPONENTS: There was no opposition voiced to the committee.